IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.25 OF 2006

M/s IPCA Laboratories Ltd. & Anr, ...Petitioners

Versus

M/s Usha Offset Printers Pvt.Ltd.,
& Ors. ...Respondents

Shri Birendra Saraf & Vivek Shivalkar i/b M/s Shiralkar & Co. for the Petitioner.

Shri Shiram S.Kulkarni for Respondent No.1
Shri N.J.Devashrayee for Respondent Nos.2,3 & 5.

CORAM : S.C. DHARMADHIKARI, J.
DATE : JANUARY 10, 2006.

P.C.:

1. Heard Shri Saraf learned Counsel appearing for the petitioners, Shri Devashrayee learned Counsel appearing for the Bank and Shri Kulkarni learned Counsel appearing for the borrower. The challenge in this petition under Article 227 of the Constitution of India is to an order dated 4th January, 2006 passed by the Debts Recovery Appellate Tribunal in Misc.Application No.851 of 2005 in Appeal No.764 of 2005. The Debts Recovery Appellate Tribunal (DRAT, for short) has made self-operative order of stay in the Appeal which is pending. The said Appeal is filed by M/s Usha Offset Printers Pvt. Ltd., which is represented by Shri Kulkarni and he states that this company is the original borrower. In my view, it is not necessary to scrutinise the order in further

details in the light of the directions given in Para 8 & 9 thereof. Admittedly, time stipulated in the order has expired and, therefore, by virtue of Para 9 thereof the interim stay granted on 4th January, 2006 stood vacated. Therefore, no useful purpose would be served by going into the rival contentions. Petition disposed of as infructuous. The DRAT to decide the Appeal on its own merits and in accordance with law.

(S.C.DHARMADHIKARI,J.)